

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:

DAVID GORDON WALLACE, JR.,

DEBTOR.

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CASE NO. 15-31594

(Chapter 7)

AMENDED NOTICE OF RULE 2004 EXAMINATION
OF DAVID GORDON WALLACE, JR.
[Related to Dkt. No. 100]

TO: Janet S. Casciato-Northrup
Law Offices of Janet S. Northrup, P.C.
333 Clay St., Suite 2835
Houston, TX 77002
Counsel for David Gordon Wallace, Jr.

PLEASE TAKE NOTICE that on July 22, 2015, pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure and Rule 2004-1 of the Local Bankruptcy Rules for the Southern District of Texas, Rodney D. Tow ("Trustee"), Chapter 7 Trustee for the bankruptcy estate of David Gordon Wallace, Jr., filed the original Notice of Rule 2004 Examination of David Gordon Wallace Jr. [Dkt No. 100], in his capacity as the Debtor and in his capacity as trustee for the Children's Trusts ("Wallace"), concerning the matters set forth on Exhibit A to this Notice.

PLEASE TAKE FURTHER NOTICE that, the examination has been rescheduled and will occur on September 21, 2015 at 10:00 AM (CST) at the offices of **Hughes Watters Askanase, LLP, Three Allen Center, 333 Clay St., 29th Floor, Houston, TX 77002** or at such other date, time, and location that is mutually agreeable to the Trustee, Wallace and the Investor Plaintiffs (defined below). The examination will be taken before a court reporter authorized by law to administer oaths and may be videotaped.

PLEASE TAKE FURTHER NOTICE that the “Investor Plaintiffs,” the parties set forth on the list attached hereto as Exhibit B, will substitute for the Trustee and conduct the examination of Wallace. Counsel for the Investor Plaintiffs is Tom Schmidt at 7880 San Felipe, Suite 210, Houston, Texas 77063, 713-249-7908.

Dated: September 8, 2015.

Respectfully submitted,

DIAMOND McCARTHY LLP

By: /s/ Charles M. Rubio

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ATTORNEYS FOR RODNEY D. TOW,
CHAPTER 7 TRUSTEE FOR DAVID
GORDON WALLACE, JR.

CERTIFICATE OF CONFERENCE

Pursuant to Local Bankruptcy Rule 2004-1, I certify that, on September 8, 2015, I corresponded with Wayne Kitchens, counsel for David Gordon Wallace, Jr., to confer regarding the relief requested herein.

/s/ Charles M. Rubio

Charles M. Rubio

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing Notice to be served via electronic means on (i) all parties who receive ECF notice in this bankruptcy case, and (ii) the following parties:

David Gordon Wallace, Jr.
c/o Janet S. Casciato-Northrup
Law Offices of Janet S. Northrup, P.C.
333 Clay St., Suite 2835
Houston, TX 77002
Counsel for David Gordon Wallace, Jr.

Tom Schmidt
7880 San Felipe, Suite 210
Houston, Texas 77063
Counsel for Investor Plaintiffs

/s/ Charles M. Rubio
Charles M. Rubio

EXHIBIT A

EXAMINATION TOPICS

1. Assets and liabilities of the Children's Trusts.
2. Transfer of assets into and out of the Children's Trusts.
3. The financial affairs of the Children's Trusts.
4. Debtor's interests in the various partnerships and limited liability companies listed in the Debtor's Schedules (as amended) and Statement of Financial Affairs.
5. Circumstances and negotiation of the Wallace-Bajjali Buy-Sell Agreement.
6. Debtor's interests in a settlement agreement related to the bankruptcy case of Will Clay Perry (Case No. 08-32362, Bankr. S.D. Tex.) approved by the Bankruptcy Court on or about May 21, 2010.
7. The financial affairs of the Debtor.

EXHIBIT B

RONALD & LAVONNE ELLISOR,
RICHARD J. KADLICK,
RAMESH & SAILAJA KONDURI,
ROBERT P. FICKS,
LARRY W. MULLINS,
KOHUR SUBRAMANIAN,
TIMOTHY B. KOEHL,
MARTIN GROSBOLL,
DOUGLAS & KAY SHAFFER,
PHILLIP R. & ALISA K. JONES,
ALLISON CAMERON,
M. BRANNON & MICHELE KUYKENDALL,
KEVIN J. DEERING,
JOHNNY & BETTY GAUNTT,
MARCUS ERICKSON,
KURT EVERSON,
GEORGE & MARENE TOMPKINS,
TOMPKINS 2007 FAMILY PARTNERSHIP,
RICHARD BURKHARDT,
JAMES & PATRICIA STEWART,
ROBERT L. HORLANDER, JR. & BRENDA K. HORLANDER,
HORLANDER, LLC,
DONALD L. & MARTHA M. KEIL,
GERALD CROUCH,
POST OAK FAMILY, L.P.,
PAUL E. & SIMONA WILLIAMS,
STEPHEN C. COOK,
FLORENCE REILEY,
CARLOS BARBERI,
RAYMOND L. WARNER,
HAL TOMPKINS,
JOSEPH MILLER,
NADA POR NADA, LTD.,
ELLIS V. COUCH,
ANITA CHANDLER,
JOHN WILLIS, EXECUTOR OF THE ESTATE OF GERALDINE WILLIS,
GARY SEEVER,
GEORGE LINGENFELDER,
LAWRENCE ROOT,
FRED SHUFFLER,
ROBERT RESCH,
SANJIV & RENU KHANNA,
DON BARRETT,
DONNA BARRETT,
ED & HELEN GRAY,
BARBARA DOREEN HOUSE,
ZT PERRY FUND, L.P.,
ZT GLOBAL
ZT WEALTH DEVELOPMENT, LP.